IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

CIVIL ACTION NO. 3:21-CV-00440-FDW-DSC

BRIAN D GREEN, et. al.,)	
771 4 1400)	
Plaintiffs,)	ORDER
v.)	OKDEK
)	
WILLIAM J. ALLEN, P.A., et. al.,)	
D 0 1)	
Defendants.)	

Before the Court is Defendants' Motion to extend by twenty-one days the time to file a responsive pleading to Plaintiffs' Complaint. This action is governed by the Honorable Frank D. Whitney's "Standing Order Governing Civil Case Management before the Honorable Frank D. Whitney" (document #2, 3:07MC47). As such, the "Initial Scheduling Order" provides as follows:

[e]xtensions of time to serve pleadings shall not be granted except by leave of court for good cause shown (consent of opposing counsel alone is not sufficient). Absent extraordinary circumstances, no party shall receive more than one extension of time to serve a pleading, with any such extension being no more than twenty (20) days¹ in duration.

In the Motion, Defendants represent that they require additional time to respond to the Complaint, which the Court deems to be "good cause shown." Provided, however, inasmuch as these are not "extraordinary circumstances," Defendants should be prepared to file their answer on or before the extended deadline, that is, without further extensions.

¹ Judge Whitney's chambers has instructed that in light of recent amendments to the Federal Rules and Local Rules related to counting days in seven day increments, an extension of twenty-one days will be allowed.

NOW THEREFORE, the deadline for Defendants' answer is extended through Monday, October 04, 2021.

The Clerk is directed to send copies of this Order to counsel of record <u>and to the Honorable</u>

Frank D. Whitney.

SO ORDERED.

Signed: September 13, 2021

David S. Cayer

United States Magistrate Judge